

Southwest Pipeline Crossing Permit Application

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In accordance with section 61-24.3-20 of the North Dakota Century Code, crossing of the Southwest Pipeline Project easement requires prior approval to the extent that the project has authority to do so. Approval will be based upon signed acknowledgement of and intent to comply with the following conditions:

1. You will assume full responsibility for any and all damages caused by the construction, operation and maintenance of your facilities.
2. Your facilities will cross beneath our pipeline if at all possible. (Does not apply to natural gas lines, power lines and communication systems buried less than 48").
3. At the point of crossing, a minimum separation of 18 inches must be maintained between your facilities and our pipeline. Exceptions must receive prior approval.
4. Excavation in the vicinity of our pipeline shall be performed by hand digging only. Our main transmission pipelines must be exposed whether boring or open cut methods are utilized.
5. Crossing angle shall be as near 90 degrees as possible.
6. You shall envelope our metallic pipelines with a granular material similar to the material removed. This requirement does not apply to PVC pipelines.
7. You must mitigate any interference with our cathodic protection system. Any Installation of cathodic protection shall be subject to inspection by SWPP personnel.
8. Crossing shall be inspected by SWPP personnel prior to and during backfill. No charge will be made during normal working hours. After normal working hours you will be billed for the onsite representative at hourly overtime rates plus benefits.
9. ~~Pipelines carrying products other than potable water must be encased a distance of 20 feet on either side of the crossing. (Natural gas is exempt from this requirement):~~ Please see request for waiver letter attached.
10. You must provide a minimum of 48 hours notice prior to construction activity.

If these conditions are agreeable, please note proposed crossing location details on the back side of this form and/or attach maps or drawings. Each crossing will require a separate permit unless authorized to provide a blanket permit for large projects with multiple crossings. Blanket permits shall require location identification and/or maps or drawings of all crossings. The application must be signed by the owner or an authorized representative of the facilities. Contractor signatures are not acceptable. Upon approval, you will receive copies of the Permit and this form for your records.

Download the application by right clicking on the link below. Select 'Save Target As' and select where you would like it downloaded on your computer. Proceed accordingly. If you have any questions, contact us at Southwest Water Authority.

Location of proposed crossing: - PLEASE SEE ATTACHED PROFILES + EXHIBITS

Quarter _____ Section _____ Township _____ Range _____ County _____

Address _____ (or)

Nearest Intersecting Street _____

Direction from and distance to nearest intersecting street: _____

Type of crossing:

Pipeline, Power Line, or Communication System: PIPELINE

Pipeline Information:

Pipeline Diameter: 30" CRUDE OIL PIPELINE

Metallic or Non-metallic: METALLIC

If metallic, will the pipeline be cathodically protected? YES

Product to be carried by the pipeline: CRUDE OIL

Power Line Information:

Power Line Voltage: N/A

Communications Systems Information:

Fiber Optic or Cable type system: N/A

Terms Accepted by:

Printed Name: ROBERT ROSE

Signature: [Signature]

Date: 4-26-16

Company: DAKOTA ACCESS LLC

Title: Vice President, Land and Right of Way

Phone: 713-984-2864 Email: ROBERT.ROSE@ENERGYTRANSFER.COM

(For SWA office use)

Application reviewed by: _____ Date: _____

Application accepted? Yes No Permit Number Assigned: _____

If not accepted, provide explanation. If accepted, provide special terms or provisions.

April 22, 2016

Mr. Lee Messer
Water Distribution Manager
Southwest Water Authority
4665 2nd Street SW
Dickinson, ND 58601-7231

RE: Dakota Access, LLC Pipeline Utility Permit

In lieu of fulfilling the casing requirement for the Dakota Access Pipeline, Dakota Access, LLC (DAPL) requests a waiver for all casing requirements of the DAPL Pipeline as well as any other pipelines that may be being utilized by SWPP. In the event that such waiver is not agreed to by the SWPP, DAPL agrees to reimburse SWPP company for the costs incurred by the SWPP in casings its existing water line in the twenty foot area on each side of the DAPL Pipeline. It is understood that DAPL can immediately proceed with construction of its pipeline at the SWPP crossings and that fulfillment of the obligations stated in this letter will satisfy the encasement condition on the permit. DAPL intends that each SWPP crossing will be installed with a minimum vertical separation of three (3) feet.

Please acknowledge acceptance of the terms stated in this letter with a written response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Rose", with a long horizontal flourish extending to the right.

Robert Rose

Vice President- Land and Right of Way

Dakota Access, LLC